

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

GARY WARREN HANCOCK, JR.,

Plaintiff,

v.

CIVIL ACTION NO. 1:18-00024

BARBARA RICKARD, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings and recommendation ("PF&R"). Magistrate Judge Aboulhosn submitted his second proposed findings and recommendation to the court on August 13, 2018. In that Proposed Findings and Recommendation, the magistrate judge recommended that this court deny plaintiff's motion for a Temporary Restraining Order and Preliminary Injunction.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted seventeen days, including three mailing days, in which to file any objections to Magistrate Judge Aboulhosn's PF&R. Under § 636(b), the failure of any party to file objections within the appropriate time frame constitutes a waiver of that party's right to a *de novo* review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989); Thomas v. Arn,

474 U.S. 140 (1985). Neither party has filed objections to the PF&R, and the time period for doing so has now elapsed.

Having reviewed the Proposed Findings and Recommendation filed by Magistrate Judge Aboulhosn, the court hereby **DENIES** petitioner's Motion for Temporary Restraining Order and Preliminary Injunction. (ECF No. 5). This matter shall remain referred to Magistrate Judge Aboulhosn for further proceedings.

The Clerk is directed to forward copies of this Memorandum Opinion and Order to all counsel of record and to any unrepresented party.

It is **SO ORDERED** this 19th day of September, 2018.

ENTER:



David A. Faber
Senior United States District Judge